United Nations E/CN.6/2004/4

Economic and Social Council

Distr.: General
22 December 2003

Original: English

Commission on the Status of Women
Forty-eighth session
1-12 March 2004
Item 3 of the provisional agenda*
Follow-up to the Fourth World Conference on Women and to the special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century"

Situation of and assistance to Palestinian women

Report of the Secretary-General

Summary

The present report summarizes the situation of Palestinian women between September 2002 and September 2003. It reviews the effects of continued movement restriction and closures, the construction of settlements, outposts and a separation wall, as well as the unfolding socio-economic crisis, on the situation of women. The report provides an overview of the assistance provided to Palestinian women by entities of the United Nations system, in particular with regard to economic activities, humanitarian assistance, education and training, health, the human rights of women, and the media and advocacy. The report concludes with recommendations for consideration by the Commission on the Status of Women.

* E/CN.6/2004/1.

03-67473 (E) 160104

I. Introduction

1. In its resolution 2003/42 of 22 July 2003 on the situation of and assistance to Palestinian women, the Economic and Social Council, concerned about the grave deterioration of the situation of Palestinian women in the Occupied Palestinian Territory, including East Jerusalem, requested the Secretary-General to continue to review the situation and to assist Palestinian women by all available means, and submit to the Commission on the Status of Women at its forty-eighth session a report, including information provided by the Economic and Social Commission for Western Asia, on the progress made in the implementation of the resolution.

2. The present report, which covers the period from September 2002 to September 2003, assesses the situation of Palestinian women based on information from United Nations bodies or individuals that monitor the situation of Palestinians in the Occupied Palestinian Territory and in the refugee camps in Jordan, Lebanon and the Syrian Arab Republic. Such bodies and individuals include the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the United Nations Human Rights Inquiry Commission, the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied by Israel since 1967, and the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority. Despite occasional references to the situation of women, the reports of those bodies and individuals rarely provided an in-depth analysis of the specific situation of women within the overall population during the reporting period.

3. The report further reflects information submitted by entities of the United Nations system that provide assistance to Palestinian women, including the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Economic and Social Commission for Western Asia (ESCWA), the United Nations Development Programme (UNDP), the United Nations Development Fund for Women (UNIFEM), the United Nations Population Fund (UNFPA), the United Nations Children's Fund (UNICEF), the United Nations Conference on Trade and Development (UNCTAD), the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the World Food Programme (WFP), the Food and Agriculture Organization of the United Nations (FAO), the International Labour Organization (ILO), the World Health Organization (WHO) and the World Bank.

4. In response to Economic and Social Council resolution 2003/42, ESCWA commissioned a report which provides an overview of the most important demographic indicators over the period 1990-2000, such as population size, age/sex, structure of the population, marriage patterns, fertility rates, types of households and employment status.[1] It further examines the situation of Palestinian women in different areas, such as political participation, the labour market, education and health, and focuses also on poverty among women.

5. The second part of the report provides a review of the political and socio-economic situation facing the Palestinian community as a whole since the inception of the second intifada (29 September 2000) and the particular impact of that intifada

on the situation of Palestinian women. The report indicates that women's lives were greatly affected by loss of income, increased poverty and decreased access to health services as well as by the death or injury of family members, including primary breadwinners and children.

6. The report emphasizes the need for mainstreaming a gender perspective in policies and programmes. It also highlights the importance of developing special policies and programmes that will target the vulnerable groups of women, such as women heads of household and women in poverty.

II. Situation of Palestinian women

7. During the period under review, the occupation of Palestinian territory by Israel continued to have a serious detrimental effect on all aspects of the living conditions of the Palestinian people. The Palestinian economy continued to accumulate losses, currently equal to half of its annual gross domestic product. Unemployment increased threefold and poverty rose among more than two thirds of the population. Women and children have borne a special and enduring burden resulting from the occupation.[2]

8. The human rights situation in the Occupied Palestinian Territories, including the right to liberty of movement and freedom to choose a residence, the right to an adequate standard of living, including adequate food, clothing and housing, the right to education, the right to health and the right to life, has drastically deteriorated.[3] The serious violation of economic, social and cultural rights has been accompanied by the continued violation of civil rights and international humanitarian law. Detentions, inhuman treatment and the destruction of property have also multiplied, while Israeli settlements in the West Bank and Gaza continue to grow.[4] Despite some hopes generated by the launching of the road map in early June 2003, a number of concerns were reported in connection with the humanitarian crisis in the Occupied Palestinian Territory.[5]

9. According to the *Palestine Monitor* and the Ministry of Foreign Affairs of Israel, between September 2000 and July 2003, the deaths of 2,572 Palestinians and 828 Israelis were recorded as a result of widespread violence. The *Palestine Monitor* reported that the vast majority of Palestinians killed were male, 325 were children under the age of 15, and 173 were women.[6] Between 1 July 2002 and 30 June 2003, 696 civilians were killed in the Occupied Palestinian Territory (413 in the Gaza Strip and 283 in the West Bank), according to the Palestinian Centre for Human Rights.[7]

10. The humanitarian crisis, emerging from sharply increasing unemployment and deteriorating economic conditions due to the Israeli closure policy, has been further exacerbated by the increasing restrictions imposed on access to international humanitarian agencies. Between April and June 2003, access to the Gaza Strip was denied or delayed to international citizens, including staff of United Nations agencies, and international and Palestinian organizations. In May 2003, borders were closed to all international citizens, except diplomatic passport holders, for a period of nine days.[8]

11. According to the Palestinian Ministry of Detainees, women living in the Occupied Palestinian Territories have been arrested in Israel for political reasons.

Prior to the outbreak of the crisis in September 2000, there were three Palestinian women prisoners. Over the past three years, an additional 77 women were arrested, seven of whom are from Jerusalem.[9] Since June 2002, the reunification of Israeli-Palestinian families has been suspended.[10] Under the new Israeli rule, Palestinian women living in East Jerusalem, currently governed by Israel, were regarded as mere residents and were not allowed to give their nationality or residency to their husbands or children.[11]

12. The current crisis continued to affect the situation of Palestinian women. Women's responsibilities within households had expanded due to the death, imprisonment or unemployment of male members of households. Many women were placed in the position of being a primary household provider, caregiver and the main strategist for coping financially, mentally and physically with the new situation.[12]

Movement restrictions and closures

13. Due to the closures of roads, local curfews and the multiplication of checkpoints, thousands of ordinary Palestinian citizens are prevented from going to work, cultivating their fields or sending their children to school. In some cases, women were injured near or inside their homes or when attempting to cross checkpoints in the course of going to work or seeking employment.[13] About 140 checkpoints operated in the West Bank, and 25 to 30 others in the Gaza Strip.[14] Hundreds of farmers lost their income since they were unable to cultivate their fields due to local curfews, road closures and checkpoints.[15] Women have been severely affected by the decline in the agricultural sector, a vital source of income for the household.[16] Many schools were unable to operate for extended periods during curfews. According to the World Bank, 170,000 children and over 6,650 teachers were unable to reach their regular classrooms and at least 580 schools were closed owing to curfews, closures and home confinement.[17] Since September 2002, children and students from kindergarten to the university level in most areas have been unable to attend school for about half of the total school days due to closures and curfews. School closures, loss of employment and economic pressures contributed to an increase in child labour, especially for those under 15 years.[18] Many secondary school students, including girls, failed to reach the examination centres in time for their yearly exams.[19]

14. For security reasons, visas are no longer issued for young Palestinians under 35 years of age to travel abroad or to move from one city of the Occupied Palestinian Territory to another. It was also reported that a number of expectant mothers could not reach the nearest hospital in time and gave birth instead at checkpoints under disastrous hygienic conditions. An increasing number of ambulances have been made to wait for hours at the checkpoints.[20]

The construction of a separation wall

15. According to the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Israeli Ministry of Defence announced on 31 July 2003 that the construction of Phase I of the wall had been completed. Its 145-kilometre route runs from the village of Salem in the north to the "Elkana" settlement, south-east of Qalquilya. During the construction, Palestinian homes were demolished and swathes

of land were bulldozed and seized. The completed construction has already resulted in the confiscation of 2,850 acres of high-income Palestinian land. Over 50 communities along the wall's path have been affected. In August 2003, the Israeli authorities issued land expropriation orders for the "Jerusalem Envelope" barrier, which could leave some 50,000 Palestinians isolated on the Israeli side. In early September 2003, the Treasury decided to provide an additional 500 million new shekels (about $112 million) to complete the separation wall in the Jerusalem area. On 1 October 2003, the Israeli Cabinet approved the second phase of the wall, running from "Elkana" to Jerusalem, where a separate network of barriers was being built.[21]

16. In some places the wall is located as much as 6 kilometres inside the West Bank. As a result, villages and communities are physically separated from the rest of the West Bank and have become isolated Palestinian pockets where the inhabitants will be effectively cut off from their land and work places and/or their schools, health clinics and other social services.[22] It was estimated that about 200,000 inhabitants of the West Bank in more than 65 towns and villages will be directly affected.[23]

17. Access to safe drinking water will be disrupted and farmland destroyed, threatening the livelihoods of tens of thousands of Palestinians and damaging a wide spectrum of economic flows and social and educational services. It has been estimated, in accordance with UNICEF statistics, that 100,000 dunums of the West Bank's most fertile agricultural land, confiscated by the Israeli occupation forces, has been destroyed during the first phase of the wall construction. Vast amounts of property, notably private agricultural land and olive trees, wells, citrus groves and hothouses, which tens of thousands of Palestinians relied upon for their survival, have disappeared. In addition, further agricultural land adjacent to the wall has allegedly been declared off limits to Palestinians.[24]

Humanitarian and socio-economic crisis

18. According to the World Bank, at the end of 2002, all Palestinian economic indicators showed a persistent decline. Gross national income per capita had fallen to nearly half of its 2000 level. More than 50 per cent of the Palestinian workforce was unemployed. The portion of the population in the West Bank and Gaza Strip living under the poverty line of US$ 2 per day had increased from 20 per cent in 1999 to 60 per cent by December 2002. The number of the poor had tripled from its level of 637,000 in September 2000 to nearly 2 million in March 2003.[25]

19. The number of work permits issued by Israel declined sharply with the outbreak of the intifada. Only 32,000 permits had been issued by the end of 2002, compared with the figure of approximately 128,000 Palestinians working in Israel and Israeli settlements in September 2000. The proportion of women active in the labour market also continued to decline, falling to 11.6 per cent in the first quarter of 2003, from 13.9 per cent in the third quarter of 2000. The informal labour sector, where women were largely represented, had also been adversely affected by the economic crisis.[26]

20. According to the Humanitarian Plan of Action 2003 for the Occupied Palestinian Territories, compiled by the United Nations Technical Assessment Mission of October 2002, more than 200,000 people who depend on supplies

brought in by water tankers were left without adequate water supply for long periods because of curfews and closures. Problems of access were compounded by the fact that a number of water systems (water pipes, pumps and wells) were destroyed and a sizeable number of wells and reservoirs in rural areas have been damaged, destroyed or made inaccessible because of the ongoing violence. A number of West Bank villages adjacent to Israeli settlements have suffered from recurring closures of the main valves on their water networks.[27]

21. The dramatic decline in the standard of living increased malnutrition and has resulted in a worsening of health conditions. According to the World Bank, real per capita food consumption had declined by 30 per cent in the past two years. The Palestinian Central Bureau of Statistics has reported that approximately one in every four women and children under the age of five suffers from mild anaemia, while 15.3 per cent of children under five, and 6.1 per cent of women between the ages of 15 and 49, suffer from moderate anaemia.[28] An update of the nutritional assessment carried out by the World Bank in January 2003 found global acute protein-calorie malnutrition in 9.3 per cent of the children across the West Bank and Gaza (13.3 per cent in Gaza and 4.3 per cent in the West Bank).[29]

22. A joint WFP/FAO Food Security and Nutrition Assessment Mission fielded in April/May 2003 noted that the capacity of Palestinian households to cope was increasingly declining. The mission further indicated that among the negative coping mechanisms adopted by many affected households were reducing expenditures on health and education, resorting to cheaper and less nutritious foods, and eating only one meal per day. A vast majority of Palestinians had become dependent on food aid for their survival.[30]

23. According to UNICEF statistics for June 2003, 38 per cent of Palestinian mothers reported increased difficulties in gaining access to health services and 65 per cent reported that the quality of their food had deteriorated.[31] A sharp increase was observed in the number of births in ambulances or at home, causing distress and complications to mothers.[32] According to the Palestinian Ministry of Health, delays at checkpoints had resulted in 46 women delivering their babies while waiting for permission to pass through, and as a result, 24 women and 27 newborn babies had died.[33] The incidence of psychosocial trauma continued to climb, and it was also reported that 43 per cent of Palestinian women had requested psychosocial support.[34]

III. Assistance to Palestinian women

24. While the current situation in the Occupied Palestinian Territories has made it difficult for international organizations to provide direct assistance to Palestinian women, the organizations of the United Nations system have continued to respond to their needs.

Economic activities

25. During the period 2002/03, UNRWA delivered economic assistance to Palestinian refugees through the provision of credit to microentrepreneurs. The Agency's microfinance and microenterprise programme granted 3,748 loans to

women, valued at $1.75 million. During the reporting period, nearly 1,250 women received a total of four loans or more each from the Solidarity Group lending product programme. A prime engine of the programme's recovery was the women's lending product, through rising repayment rates that increased to 94 per cent in 2002, and had already reached 91 per cent during the first six months of 2003. The women's credit product remained the most resilient of all of the programme's credit products, and it was catering to an increasing number of women microentrepreneurs who had entered the informal economy as a result of increased household poverty and hardship. The UNRWA Solidarity Group lending product programme remained one of the few sources of credit for such women.

26. During the period under review, UNRWA assisted approximately 6.05 per cent of the poorest registered refugees (special hardship case families). Out of a total population of 4,108,461 Palestine refugees registered with UNRWA, 45.8 per cent were families headed by women. The Agency's special hardship assistance provided those families with a critical safety net in the form of food support and selective cash assistance. The Agency also promoted community participation for Palestine refugee women through 71 women's programme centres, with activities including occupational training programmes, kindergartens and nurseries. A total of 48,757 participants, mainly women and children, benefited from these services. Furthermore, the Agency promoted the self-reliance of Palestine refugee women through its poverty alleviation programme, which disbursed $82,533 in small loans to more than 76 women during the period under review, and through the Solidarity Group lending schemes, which assisted more than 95 women's support groups with a total of $180,470. Other self-support programmes, which provided part-grant/part-loan financing to help special hardship case families generate income, benefited over 20 women and their families, with a total amount of $63,023.

27. UNDP provided its assistance to Palestinian women through project activities targeting female-headed rural households. One project, entitled "Emergency response programme for social infrastructure development in the Occupied Palestinian Territory", was implemented in collaboration with the Ministry of Agriculture and aimed to achieve sustainable food security and income generation through investing in livestock. Another project, entitled "Emergency support to existing small income generation projects", aimed to provide financial and technical support to 30 small, women-run projects. As a result of the stagnation of the economy and the high unemployment rate of the male breadwinners, the small and unsustainable projects run by these women have come to be the only means for income generation for the household. UNDP also continued the implementation of two other projects: "Fund for women's initiatives in local communities" and "Support to the women-owned household economy" in the Occupied Palestinian Territories. Through these projects, UNDP continued to provide technical and financial support as well as training for community based women's organizations, as well as women business owners. These projects benefited 620 women and their families and communities.

28. UNCTAD collaborated with the Ministry of Economy, Trade and Industry of the Palestinian Authority and the Palestinian Agriculture Relief Committee to support the livelihoods of Palestinian farmers, including women, by assisting them in marketing their large surplus of olive oil.

29. The ILO Regional Office for Arab States has undertaken activities to provide assistance to Palestinian women, including through an interregional programme on capacity-building for gender equality, employment promotion and poverty eradication. The main objective of the programme is to formulate and implement gender-sensitive employment policies and programmes, aimed at eradicating poverty. ILO also reported that disruption created by the humanitarian crisis made it impossible to implement the action plan for gender mainstreaming in the Ministry of Labour that it had developed in 2000.

30. The World Bank effectively incorporated gender dimensions in its activities and actively participated in the Gender Task Force in the West Bank and Gaza. In response to emergency needs, the World Bank managed $25 million in bilateral donor funds for job-creation projects. Of this, a total of about $2.7 million was implemented through non-governmental organizations. One of the main selection criteria for receiving emergency grants was a project's ability to benefit women directly. The Bank supported a counselling centre for women in difficult circumstances, aimed at providing support, therapy, advocacy and vocational training services to Palestinian women subject to domestic violence.

31. In December 2002, the World Bank completed a beneficiary assessment report of the second Community Development Project. In accordance with that assessment, nearly 40 per cent of all schools rehabilitated under the project were girls' or co-educational schools. The Bank constructed a girls' orphanage residence, provided vocational training to women under the development grants and provided an integrated educational programme to women with children under the project on the development of the mothers' school.

32. ESCWA formed a special task force on the socio-economic rehabilitation of Palestinian people. A gender perspective has been mainstreamed into the formulation of planned projects and programmes. ESCWA provided technical assistance to producers of gender statistics in Palestine.

Humanitarian assistance

33. WFP sent several missions to the Occupied Palestinian Territory to assess the scale of the humanitarian crisis and suggested measures to prevent further deterioration of the situation. The United Nations Inter-Agency Technical Assessment Mission, led by the Office for the Coordination of Humanitarian Affairs, visited the area in October 2002, following the assessment mission of the Personal Humanitarian Envoy of the Secretary-General of the United Nations in August 2002. WFP approved the expansion of its emergency operation for a period of one year at a total cost of $31 million, in order to specifically address the needs of 530,000 vulnerable non-refugees. In 2003, WFP began a supplementary feeding programme for 6,145 malnourished children and their families in Gaza and the southern West Bank. WFP also provided 11,190 metric tons of foodstuff to the International Committee of the Red Cross to assist 180,000 hardship cases in the rural areas of the West Bank. WFP encouraged women to receive their food entitlements directly at distribution sites to increase the effective utilization of food assistance at the household level. As a result of these efforts, over 55 per cent of food aid recipients in the Palestinian territories were women.

34. Between February and June 2003, FAO and WFP jointly undertook a comprehensive food security and nutrition assessment across all districts of the West Bank and Gaza. One key objective was to understand and document the conditions affecting the livelihood, food security and nutritional vulnerability of the population, men as well as women. The assessment examined, in particular, the food security and nutritional status of women and children. The assessment report is being finalized and will provide, inter alia, a series of recommendations for addressing the special needs of both women and men in the West Bank and Gaza.

35. FAO supported the Ministry of Agriculture of the Palestinian Authority, in collaboration with the UNDP Programme of Assistance to the Palestinian People (UNDP-PAPP), in the preparation of an agriculture revitalization programme (ARP) for the West Bank and Gaza Strip. The programme is an intermediate phase between emergency assistance and sustainable rehabilitation leading to longer-term agricultural development. It aims to improve rural livelihoods by first maintaining and then revitalizing agricultural activities in the West Bank and Gaza. FAO's support under the agriculture revitalization programme focused on livestock production, horticulture, rehabilitation of small-scale irrigation, marketing and capacity-building.

Education and training

36. The UNRWA education programme continued to be one of the primary means by which the Agency promoted the human resource development of female Palestine refugees. In the 2002/03 academic year, 490,949 pupils, of which 245,733 or 50.1 per cent were female, were enrolled in UNRWA preparatory, elementary and secondary schools. Of the Agency's 15,163 teachers, 48.4 per cent were female. Palestine refugee women accounted for 66.6 per cent of participants in the UNRWA pre- and in-service teacher training courses and for 33.3 per cent of its trainees in technical and semi-professional courses. Of the 56 continuing UNRWA scholarships in 2002/03, 48.2 per cent were held by women. During the same period, 90 Palestinian women in Lebanon benefited from a scholarship project addressed to women only and managed by UNRWA on behalf of a donor country. A separate scholarship programme, administered with the support of two international NGOs and the Cisco Learning Institute, provided training scholarships to 60 disadvantaged Palestinian refugees from the West Bank and the Gaza Strip, 50 per cent of which were given to female refugees.

37. The Department of Education of UNRWA made special efforts to help Palestine refugee women acquire modern technological skills through a gender-specific project in collaboration with UNIFEM. The project emphasized equal access to information and communication technologies by Palestine refugee women and men, encouraged gender balance in recruitment and retention policies, built capacity to produce appropriate information content for Palestine refugee women and helped them to fulfil their socio-economic, reproductive and community participation roles. In a further effort to improve the capacity of Palestine refugee women, UNRWA continued its admission policy to its pre-service teacher training programme leading to a first-level university degree by assigning 50 per cent of the places to qualified Palestine refugee women, in order to promote gender balance among the faculty members. UNRWA also sought to enhance the capacities of

Palestine refugee women through its own recruitment policy: women occupy 55.6 per cent of senior managerial posts in the UNRWA Department of Education.

38. UNICEF supported alternative education projects in areas suffering from strict closures to ensure the opportunity for children to continue learning. UNICEF also supported initiatives to keep children in school, such as the back-to-school campaign to ensure that 1 million Palestinian children could attend school and remain in school throughout the school year. Specific interventions focusing on current and potential girl dropouts were implemented in four villages in the Bethlehem district, where the highest rate of girl dropouts was reported. These interventions included life-skills-based education for 700 girls. In addition, UNICEF supported 48 awareness-raising sessions for parents to advocate for the importance of girls' education in strengthening the economy and in national development.

39. In an effort to support and empower women, WFP provided food assistance to poor women and adolescent girls as an incentive for them to attend education and training programmes. The programmes focused on literacy, food management and income-generating skills, such as harvesting of olives for commercialization and raising animals for household consumption and sale.

Health

40. In order to promote the health status of Palestinian refugee women, UNRWA provided maternal and child health care and family planning services as an integral part of its primary health-care programme. During 2002, more than 79,900 women received antenatal care, representing approximately 60 per cent of all expected deliveries among registered refugees. Approximately 21,000 new family-planning acceptors were enrolled in the programme and the total number of continuing users exceeded 90,000. UNRWA sustained full immunization coverage of women and children against vaccine-preventable diseases and supported school health services and iron supplementation for women throughout pregnancy and post-delivery. It also sustained health educational programmes on the prevention of tobacco use and of HIV/AIDS and sexually transmitted diseases, which were implemented as multisectoral activities targeting school children and women. Attention was placed on improving access of women to quality care, information and services. Within the context of its family planning services, the health programme addressed such issues as early childbearing and its consequences for the health of women and children as a matter of high priority. The health programme sought to strengthen its gender-sensitive programming by obtaining, whenever possible, sex-disaggregated data, with the objective of reducing gender-based health disparities.

41. UNFPA devoted a significant proportion of its programme to ensuring women's access to appropriate and quality reproductive health care, especially emergency obstetric care and psychosocial counselling. The programme focused primarily on: the training of health professionals, including physicians, nurses and midwives in emergency obstetric care (EOC) at the community level; organization of a community campaign to disseminate information on the EOC training through the Union of Palestinian Medical Relief Committees, a Palestinian NGO; and continuation of delivery of essential drugs for family planning and reproductive health at a time when the Ministry of Health and NGO service providers were severely hampered by a lack of such supplies.

42. UNFPA also provided comprehensive support to women's health centres. Counselling services were organized at three women's health centres in El-Burej, Jabaliya and Hebron for traumatized women and their families. The women's health centres in Bureij and Jabaliya continued to provide quality reproductive health care to women in the most populated and underprivileged areas of the Gaza Strip, despite continued restricted access to the refugee camps. These centres, in collaboration with a number of local organizations, including the Women's Centre for Legal Aid and Counselling (WCLAC), took a proactive role in the communities to curb the increasing level of violence against women. In 2003 WCLAC developed a manual on legal and psychosocial assistance in reproductive health and 15 health-care providers were trained.

43. WHO provided support for strengthening the capacity of the Ministry of Health to lead and coordinate the health sector. WHO participated in a health sector review which addressed, inter alia, issues affecting women. WHO also worked on the reorganization and upgrading of mental health services and reorienting its approach to the community level, so that more women might benefit. WHO participated in a number of thematic group discussions aimed at improving the situation of Palestinian women.

44. UNFPA, WHO and UNICEF developed an advocacy network to promote access to health care as well as to raise awareness on the precarious health situation, particularly for women in the Occupied Palestinian Territories. Communication professionals from UNICEF, UNFPA, UNRWA, the Office for the Coordination of Humanitarian Affairs and WHO meet regularly to coordinate their advocacy activities. UNFPA assisted the Ministry of Health in producing a documentary film on the adverse impact of the closures on access of women in labour to hospitals, and on the reproductive rights of Palestinian women.

Women's human rights including violence against women

45. Under a technical assistance project, OHCHR has supported the Palestinian Authority since 1996 to ensure that national laws are in compliance with international human rights standards and norms. This has had a positive impact on women who encounter gender-based discrimination and domestic injustices. OHCHR funded the Women's Unit of LAW, a human rights NGO which provides legal counselling to women facing gender-based discrimination and inequality. It also offers legal aid and representation before government bodies, institutions and courts of law for women engaged in litigation to redress violations of their human rights. The Women's Unit has undertaken research on the effect of Palestinian law on women's rights, with a view to formulating recommendations for consideration by the Palestinian Legislative Council. The adoption of these legal recommendations, as well as their implementation, is closely monitored by the Women's Unit. In addition, OHCHR organized a number of training courses in human rights for different target groups, such as lawyers, prison officials, women leaders, journalists, official staff of the Palestinian National Authority, prosecutors and health-care personnel. Of the 249 participants in these training courses, 65 were women. In Gaza, OHCHR organized a four-day intensive training course for women leaders, entitled "Women and Human Rights", with the aim of strengthening the capacity of women in the area of human rights.

Media and advocacy

46. The Department of Public Information held its annual training programme for Palestinian media practitioners, in which eight Palestinian broadcasters and journalists, including three women, participated. In March 2003, the Department revised and updated the publication entitled "The Question of Palestine and the United Nations"[35] in all United Nations official languages and widely disseminated it to all United Nations offices in the field. Chapter 9 of the booklet specifically addresses issues concerning Palestinian women. United Nations Radio provided extensive coverage on the various aspects of the situation in Palestine which impact on the lives of Palestinian women.

47. UNIFEM supports a project to strengthen strategic partnerships between the media and women's organizations in the Occupied Palestinian Territories. Within the context of this initiative, a media and women leaders network has been established and local media and women's organizations have been trained in gender-sensitive reporting and campaigning. In addition, gender units were set up at 17 independent television stations.

IV. Conclusions and recommendations

48. **During the period under review, the living conditions of Palestinian women have drastically declined. The deteriorating economic conditions, due to the Israeli closure policies, have resulted in widespread unemployment, a decline in standards of living and an increase in poverty, while access to basic services such as education and health was severely curtailed. The humanitarian and socio-economic crisis in the Occupied Palestinian Territory has reached unprecedented levels. The capacity of Palestinian women to cope with this new situation has been declining, and the number of women dependent on emergency assistance, particularly food assistance, has risen. Women have also become subject to increasing violence.**

49. **The status and living conditions of Palestinian women are linked to the achievement of a peaceful resolution of the conflict. There are important differences in how women and men respectively are affected by the socio-economic and political situation, which are apparent in such areas as basic social services, including education and health, economic opportunities and means of livelihood. These differences need to be taken into account in research, data collection, policy and strategy developments and implementation and monitoring of projects and programmes on the ground. It is also important that efforts be made to increase women's full participation in decision-making processes at all levels. As the international community seeks ways to end the conflict, it is important that gender perspectives are highlighted and that women are fully involved in the conflict resolution and peace-building initiatives, as called for in the Beijing Platform for Action and the outcome documents of the twenty-third special session of the General Assembly, as well as in Security Council resolution 1325 (2000).**

50. **As a result of the deterioration of the humanitarian situation in the Occupied Palestinian Territory, the United Nations system faced the challenge of adopting a two-track strategy, handling both emergency humanitarian**

assistance to the rapidly growing socio-economic crisis and the continuation, whenever and however possible, of ongoing development programmes.[36] Despite the difficult working conditions, the entities of the United Nations system, especially the United Nations Relief and Works Agency for Palestine Refugees in the Near East, continued to provide assistance to Palestinian women through humanitarian assistance, as well as projects aimed at enhancing women's capacity to provide for themselves and their families, and to maintain women's access to education and health.

51. **It is essential that United Nations entities continue to operate in the Occupied Palestinian Territory and the refugee camps. As the conflict exacerbates existing hardships and creates new difficulties, continued assistance to Palestinian women, focused on food security, nutrition, psychosocial/trauma counselling, health, including reproductive health, education, human rights and economic empowerment, should be provided. Special attention should be given to the difficult situation faced by women where their responsibilities have expanded to include that of primary household provider or caregiver due to the death, injury, detention or unemployment of the male members of the family, and to increased poverty due to movement restrictions and closure and the construction of a separation wall.**

52. **While the reports by relevant bodies provided valuable information on the overall situation in the Occupied Palestinian Territory and increasingly referred to the particular situation of women, further opportunities should be sought to highlight fully the specific ways in which the crisis impacts on women as compared to men so that targeted actions can be taken to mitigate negative gender-specific impacts. The collection of data disaggregated by sex, which is currently insufficient, and specific studies on the impact of the crisis on women in particular areas, should be encouraged. In this regard, the linkage between the current crisis and the increase in domestic violence could be further explored. Efforts should be undertaken to explicitly identify and address gender perspectives in all international assistance programmes, in addition to implementing projects specifically targeting women. All reports on the overall situation in the Occupied Palestinian Territory should include attention to the specific situation of women and girls in accordance with Security Council resolution 1325 (2000).**

Notes

[1] Eileen Kuttab, "Palestinian women: situation analysis 1990-2003" (Women Studies Institute, Birzeit University, Palestine, November 2003).

[2] A/58/75-E/2003/21, Summary, p. 2.

[3] See A/58/311, paras. 24-75.

[4] E/CN.4/2003/30, para. 2.

[5] A/58/311, Summary, p. 2, and para. 33; A/58/75-E/2003/21, para. 3; the text of the road map is contained in S/2003/529, annex. The Quartet (composed of the United States of America, the United Nations, the European Union and the Russian Federation) formally presented its road map to the Government of Israel and the Palestinian Authority on 30 April 2003.

[6] Information received 16 September 2003 from the Office of the United Nations Special Coordinator in the Occupied Territories (UNSCO), para. 2.

[7] A/58/311, para. 71.

[8] Ibid., para. 43.

[9] UNSCO, op. cit., para. 4.

[10] A/58/311, para. 59.

[11] UNSCO, op. cit., para. 5.

[12] Ibid., para. 4.

[13] Ibid., para. 3.

[14] A/58/311, para. 34.

[15] Ibid., para. 53.

[16] UNSCO, op. cit., para. 11.

[17] A/58/88-E/2003/84, para. 8.

[18] A/58/311, para. 59.

[19] Ibid., para. 35.

[20] Ibid., para. 35.

[21] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 35* (A/58/35), para. 22.

[22] The Impact of Israel's Separation Barrier on Affected West Bank Communities. Report of the Mission to the Humanitarian and Emergency Policy Group of the Local Aid Coordination Committee, May 2003, p. 3, para. 1.

[23] A/58/311, para. 26.

[24] Ibid.

[25] A/58/88-E/2003/84, para. 9.

[26] UNSCO, op. cit., para. 6.

[27] E/CN.4/2003/30, para. 15.

[28] A/58/88-E/2003/84, para. 8.

[29] *Twenty-Seven Months — Intifada, Closures and Palestinian Economic Crisis: An Assessment* (World Bank, Washington, D.C., May 2003), para. 18.

[30] A/58/311, para. 56.

[31] Ibid., para. 61.

[32] Ibid., para. 62.

[33] A/58/75-E/2003/21, para. 51.

[34] A/58/311, para. 63.

[35] DPI/2276.

[36] See A/58/75-E/2003/21.

United Nations E/CN.6/2004/5

Economic and Social Council

Distr.: General
19 December 2003

Original: English

Commission on the Status of Women
Forty-eighth session
1-12 March 2004
Item 3 of the provisional agenda*
Follow-up to the Fourth World Conference on Women and to the special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century"

The situation of women and girls in Afghanistan

Report of the Secretary-General

Summary

In compliance with Economic and Social Council resolution 2003/43 of 22 July 2003, the present report presents an overview of the situation of women and girls in Afghanistan in 2003 and gender-related assistance provided by the United Nations system.

The report provides information about activities undertaken by the United Nations and its system of organizations in support of the Afghan Transitional Administration and its work in the advancement of women and gender equality. It includes recommendations for further efforts, including the need for increased security and prevention of violence, the importance of ensuring that the new Constitutional Loya Jirga enshrines the equality of women with that of men and that the forthcoming elections promote the full participation of women as well as the importance of a rights-based and gender-sensitive approach to relief, reconstruction and development.

* E/CN.6/2004/1.

03-67481 (E) 210104

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I. Introduction

1. The present report is submitted in compliance with Economic and Social Council resolution 2003/43 on the situation of women and girls in Afghanistan, in which the Council requested the Secretary-General to report to the Commission on the Status of Women at its forty-eighth session, on progress made in the implementation of that resolution.

2. It is the fourth report submitted to the Commission on the situation of women and girls in Afghanistan. It contains information on political, social and economic developments affecting Afghan women since the submission of the last report (E/CN.6/2003/4), with particular focus on steps taken by the Afghan Transitional Administration and on action taken by the United Nations system and other actors to assist the Administration in its efforts to empower women and strengthen their status, particularly with respect to women's representation and participation in constitutional and electoral processes. It draws on information provided, inter alia, by the United Nations and its system of organizations[1] and concludes with a set of recommendations.

II. Progress and challenges facing Afghan women and girls

3. In the two years since the fall of the Taliban regime, the Afghan Transitional Administration, supported by the international community, has focused considerable attention on the plight of Afghan women and girls. Despite many obstacles, women are playing a crucial role in building a new Afghanistan both politically and economically. They have participated throughout the country in the consultative process in drafting the new constitution. Women continue to return to the workforce in modest numbers, gain access to education and health services, and in a very recent development, they are being chosen in significant numbers to represent their concerns and interests in the Constitutional Loya Jirga.

4. The challenges facing Afghan women have been documented in numerous official and media reports throughout 2003, notably in the report of the first Security Council mission to Afghanistan (S/2003/1074), starting on 31 October 2003, coinciding with the third anniversary of the landmark Security Council resolution 1325 (2000) on women, peace and security. The Council, in its report, drew attention to the ongoing violations of women's rights and called on the Afghan Government to ensure participation of women in building national unity.

5. A major step in ensuring women's enjoyment of their rights was taken by the Afghan Transitional Administration on 5 March 2003 when it ratified the Convention on the Elimination of All Forms of Discrimination against Women without reservations. By so doing, Afghanistan is required to uphold women's civil, political, economic, social and cultural rights and to take all appropriate measures to bring national legislation into compliance with the Convention. The challenge ahead will be to implement its provisions fully and put in place the legal and judicial systems that will protect women's human rights.

6. In spite of this progress, the fact that women in many parts of the country continue to face gross violations of their rights is a matter of concern. Continued factional fighting, increasing crime related to drug trafficking and slow progress in meeting reconstruction goals owing to instability and terrorist activities hamper the

progress in securing fundamental freedoms and rights for many in the country, especially women. The importance of guaranteeing women's human rights and non-discrimination in the constitution is crucial at this juncture so as not to erode progress made to date. Provisions to protect women and girls from forced and early marriages, incarceration and all forms of gender-based violence, including domestic violence, should be enshrined in the new constitution. Women's explicit role and participation in the new Government should also be delineated, especially in the Supreme Court and in other decision-making bodies and in government ministries. In addition, women should be guaranteed positions in provincial assemblies and local councils.

7. The registration process and the holding of free and fair elections in mid-2004 will be a major test for Afghanistan. While the Afghan Transitional Administration and the international community have determined that women will have the right to vote, the smooth implementation of this policy will be in the hands of local leaders and communities. Some disturbing signs have appeared in the early days of the registration process where some women have been barred from registering. The ability of the national and provincial leaders, supported by international and national security forces, to curtail these violations will be crucial for the legitimacy of these important first elections. Along with the right to vote, women's participation as possible candidates for elected office needs to be strongly supported by the local and international actors. The capacity of potential women candidates needs to be strengthened and intensive voter education and awareness programmes implemented to dispel negative stereotypes of women as leaders. Special measures in support of women as candidates, such as incentives for political parties to have women candidates, balloting procedure, locations of voting stations and hours of opening that do not discriminate against or exclude women, and support to media campaigns that offer time for women's voices to be heard, should be supported and monitored closely by elections and gender advisory groups.

8. While the security situation remains fragile, with the emergence of newly trained and supported national security forces, both an army and national police force, and the extension of the International Security Assistance Force (ISAF) outside Kabul, the outlook for improved security seems brighter both for the Afghan people and United Nations and non-governmental organization (NGO) staff who need to move freely to support reconstruction initiatives. Efforts to ensure that these forces undertake their work in a gender-aware and supportive manner is more crucial than ever. Gender-sensitive training of all uniformed personnel, international and national, should be accelerated. A strict zero tolerance policy on violence against women should be adhered to and violators of codes of conduct should be punished. Increasing the role of women in the military and as civilian police requires greater support and encouragement. If women have no safe place to go to report crimes committed against them, they will continue to be abused and silenced.

9. The United Nations Assistance Mission in Afghanistan (UNAMA) continues to assist the Afghan Transitional Administration and the Afghan people themselves in building a board-based, multi-ethnic, fully representative and gender-sensitive Government which respects the rule of law and human rights for all. UNAMA, in coordination with other United Nations entities and their partners, works to integrate gender perspectives in all aspects of its operations.

III. Intergovernmental and expert meetings

10. Throughout the reporting period, the situation of women and girls in Afghanistan was examined in various United Nations forums, including the General Assembly, the Security Council, two functional commissions of the Economic and Social Council (the Commission on the Status of Women and the Commission on Human Rights) and in expert meetings, such as the Joint Workshop of the United Nations Inter-Agency Network on Women and Gender Equality (IANWGE) and the Organization for Economic Cooperation and Development/Development Assistance Committee (OECD/DAC) Network on Gender Equality. Afghanistan has also been examined in reports of three Special Rapporteurs.

11. In its resolution 57/113 A and B of 6 December 2002 on emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan and the situation in Afghanistan and its implications for international peace and security, the General Assembly stressed the importance of the full and equal participation of women in political, economic, cultural and social life throughout Afghanistan, as well as in reconstruction and development programmes. While welcoming the positive steps taken towards improving the situation of the human rights of many Afghans, the Assembly condemned continuing discrimination against women and girls and appealed to the Afghan Transitional Administration and the international community to mainstream gender issues in all humanitarian assistance and future rehabilitation and reconstruction programmes. In its resolution 57/234 of 18 December 2002 on the question of human rights in Afghanistan, the Assembly urged the Afghan Transitional Administration to end violations of the human rights of women and girls by ratifying the Convention on the Elimination of All Forms of Discrimination against Women, which it did on 5 March 2003. In its resolution 58/27 A and B of 5 December 2003, the Assembly reiterated its call for full participation of women in all aspects of nation-building in Afghanistan and further appealed for the mainstreaming of gender issues in future reconstruction programmes.

12. The Security Council, in its resolution 1471 (2003) of 28 March 2003 welcomed the Secretary-General's report (S/2003/333) and its recommendations and endorsed the establishment of an electoral unit within UNAMA. Moreover, it requested UNAMA to continue to assist the Afghan Independent Human Rights Commission (AIHRC) in the full implementation of the human rights provisions of the Bonn Agreement (see S/2001/1154). Furthermore, in its resolution 1510 (2003) of 13 October 2003, the Council authorized expansion of the mandate of ISAF to allow it, as resources permit, to support the maintenance of security in areas outside Kabul.

13. The Security Council mission to Afghanistan, undertaken from 31 October to 7 November 2003, came at a critical time in the implementation of the Bonn Agreement. The Council, in its report (S/2003/1074), noted the significant progress made by the Afghan Government in implementing the Agreement. Terrorist attacks, factional fighting and drug-related crimes are major concerns of Afghans that interfere with the attainment of a sustainable peace. The mission urged the Afghan Transitional Administration to take all measures to strengthen national unity and ensure universal participation in the peace process, in particular with regard to the role of women. The Secretary-General further mentions that the rights of women continue to be seriously hampered by culture, customs and the lack of security and

notes that many civil society groups believe that the current draft constitution does not provide sufficient guarantees for women's rights.

14. The report on the situation of human rights in Afghanistan submitted by the Special Rapporteur on Afghanistan (E/CN.4/2003/39), reflects the situation in 2002. In her report on extrajudicial, summary or arbitrary executions (E/CN.4/2003/3/Add.4), the Special Rapporteur recommended that an international and independent commission of inquiry be constituted as a first step towards accountability. Parallel to the commission, the Afghan Independent Human Rights Commission should be encouraged to solicit wider opinion on possible mechanisms for transitional justice.

15. In her report on violence against women in Afghanistan, its causes and consequences (A/58/421), the Special Rapporteur on violence against women welcomed the ratification of the Convention on the Elimination of All Forms of Discrimination against Women and, while noting that some progress had been made, urged the Government to take steps to tackle impunity for perpetrators of violence against women and, at the same time, to establish the rule of law. She described the deteriorating security situation, lack of sufficient international aid and widening disparities between the situation of women and girls in Kabul as compared to the rest of the country.

16. The Joint Workshop of the United Nations IANWGE and the OECD/DAC Network on Gender Equality was held in Paris on 10 and 11 July 2003 and drew on lessons learned from Afghanistan and elsewhere.[2] Habiba Sarabi, Minister of Women's Affairs of Afghanistan, in her keynote address noted, "Our challenges are enormous but our determination is greater than the challenges we face." The meeting stressed that reconstruction programmes, based on human rights principles, could avoid perpetuating situations of inequality and discrimination and lead to the creation of more equitable and sustainable societies. A safe environment, free from violence, was a precondition for achieving this. Essential elements for an equitable gender-sensitive reconstruction process were identified by the meeting and included, inter alia, the need for coordinated international support that strengthened national ownership, ensuring a high level of political will and commitment and developing gender-responsive approaches to policy formulation, budget allocations and monitoring, including through the collection and use of sex-disaggregated data. The meeting recommended in its communiqué that the international community give increased support to the Ministry of Women's Affairs for its work with other government ministries to incorporate gender perspectives in policies, budgets and sectoral plans.

IV. Follow-up to the Bonn Agreement

A. Constitutional Loya Jirga and the constitutional process

17. The Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions — the Bonn Agreement — signed on 5 December 2001, calls for the convening of a Constitutional Loya Jirga within 18 months of the establishment of the Afghan Transitional Administration. In accordance with this decision the Afghan Transitional Administration established, with the assistance of the United Nations, a Constitutional Commission. While the

security situation hampered the public consultative process and the planning for the Constitutional Loya Jirga, which started on 14 December 2003, the timeline set forth in the Bonn Agreement for the Constitutional Loya Jirga has been met.

18. As reported to the Commission on the Status of Women at its last session (see E/CN.6/2004, para. 19), the Constitutional Drafting Commission was formally inaugurated on 3 November 2002 and comprised nine judges and legal scholars, including two women, representing major ethnic groups and regions. The Commission submitted a preliminary draft constitution on 24 April 2003. Subsequently, the 35-member Constitutional Commission, including seven women, supported by UNAMA and the United Nations Development Programme (UNDP), was established. It created a secretariat in Kabul and eight regional offices throughout the country as well as sites in Pakistan and in the Islamic Republic of Iran, which facilitated public awareness and nationwide consultations on the constitution. A draft constitution was issued on 3 November 2003 and preparations for the Constitutional Loya Jirga have been made.

19. Women are employed in the Constitutional Commission secretariat as researchers, rapporteurs and coordinators of the regional offices of the Commission. Two of the secretariat offices are led by women and one woman in each region serves as a public information officer. An estimated 178,000 Afghans, of whom more than 33,700, or 19 per cent, were women, participated in over 556 public consultations on the draft constitution organized by the secretariat. The Ministry of Women's Affairs and several other organizations, including the Afghan Women's Network, the Independent Human Rights Commission, Rights and Democracy, and Afghan Women Judges, also organized workshops and seminars on women and the constitution.

20. To ensure that women's voices were heard in the drafting of the constitution and in the selection of candidates for the Constitutional Loya Jirga, a diverse group of Afghan women met in Kandahar in September 2003 and issued the Afghan Women's Bill of Rights.[3] The Bill presented to President Karzai contains what the women want to see in the constitution and calls for such rights as the right to education, protection and security, freedom of speech and the right to vote.

21. For the 500 seats of the Constitutional Loya Jirga, 450 dignitaries have been elected and 50 appointed by the President. Women held approximately 100, or 20 per cent, of the 500 seats of the Constitutional Loya Jirga. This was achieved in three ways: firstly by electing 64 women (two for each of the 32 provinces) as part of the special category elections; secondly, by having 15 per cent of the seats set aside for women in other special category elections (refugees in Pakistan and the Islamic Republic of Iran, internally displaced persons, Kuchis (nomads), Hindus and Sikhs) and thirdly, by holding 25 of 50 special appointments selected by President Karzai. This is a major advancement in the number of women delegates in a Constitutional Loya Jirga. In the 1964 and the 1977 Constitutional Loya Jirga, for example, only 4 and 12 women participated, respectively.

22. The Committee for the Protection of Women's Rights in the Constitution, has been established to formulate a platform of action for women delegates of the Loya Jirga. It includes the Minister of Women's Affairs, the State Minister of Women's Affairs, a network of Afghan women journalists and over 20 key women's NGOs. The Committee held a two-day workshop, on 8 and 9 December 2003, to consolidate the various recommendations presented on the inclusion of women's concerns in the

Constitutional Loya Jirga. The State Minister for Women's Affairs, Mahbuba Hoquqmal, reported that the Committee drew up a list of recommended changes to the draft constitution to enshrine the rights of women. The draft states that all Afghans are equal, but makes no explicit reference to equality of the sexes. "Learning from past constitutions and the discrimination women have suffered in the past two decades of war, we want the explicit term, 'women and men are equal', rather than the broader term, 'all Afghans have equal rights and duties before the law', which can be easily misinterpreted," said Hangama Noori of AIHRC. Other recommendations for changes made by Afghan women included explicit guarantees of equal rights, measures to eliminate discrimination and violence against women and issues regarding marriage taking place freely and with the agreement of both parties. The Committee has also called for each province to elect two women representatives to the lower house of Parliament, the Wolesi Jirga, rather than one, as provided in the draft constitution.

B. Preparations for the general elections

23. On 15 February 2003, President Karzai requested UNAMA to help prepare and organize the electoral process and coordinate international electoral assistance within the time frame of the Bonn Agreement. To manage the elections process the Joint Electoral Management Board was appointed on 11 November 2003 and comprises 11 members, including 6 Afghans — 2 of whom are women — and 5 international members — 1 of whom is a woman.

24. UNAMA estimates that of a population of approximately 25 million Afghans, approximately 10.5 million will be eligible to vote. As of 1 December 2003, the UNAMA Electoral Component has been assisting the Management Board to conduct voter registration in preparation for elections scheduled for the summer of 2004. UNAMA reports that gender issues are fully taken into consideration in the planning of the exercise. Half of all Afghan registrars, training and civic education officers are to be women so as to ensure that Afghan women can be reached and registered.

25. Given low literacy rates, particularly among women, one major challenge is to identify enough Afghan women who are literate and can travel not only outside their villages, but also beyond their family compounds without a male relative as escort. Tribal and religious community leaders, as well as Afghan civil society organizations are being mobilized to encourage women to participate actively in the electoral process. In order to accommodate the needs of women with as much flexibility as possible, women have the option to have voter cards issued with or without their photographs.

26. In addition to static registration sites, mobile registration teams are envisaged so that more people, particularly women, may be registered. Voter registration, including mobile registration teams, will depend on whether sufficient funding is made available. The voter registration exercise is projected to cost $78 million, which must be met through voluntary contributions. A shortfall of more than 50 per cent in the registration project budget is a serious cause for concern. One result was the postponement of the start of the registration from 15 October to 1 December 2003.

C. Ministry of Women's Affairs

27. The strong emphasis placed by the Afghan Transitional Administration on gender equality issues has been accompanied by the establishment of institutional mechanisms to ensure implementation. In addition to the establishment of the Ministry of Women's Affairs, the Government has also created the Office of the State Minister for Women and established a Gender Advisory Group as part of the Afghan Development Forum. Efforts are also being made to strengthen Afghan NGOs working for women's equality and to build stronger working relationships between them and Government.

28. In this reporting period, the Ministry of Women's Affairs has accelerated its implementation of an interministerial action plan to mainstream gender into all ministries. Gender focal points have been identified in each ministry and the Ministry of Women's Affairs is building their capacity to deliver Afghanistan's gender policy. The United Nations Development Fund for Women (UNIFEM) and UNDP are working together to support the Ministry's newly established Training and Advocacy Department. This is key to enabling Ministry staff to develop expertise in gender equality issues so as to train staff from other ministries. Further support has been provided by the United Nations Population Fund (UNFPA), which has totally reconstructed the Ministry's offices.

29. To achieve effective integration of gender perspectives into the work of each line ministry, it is paramount that the budget process incorporate gender issues. The 2003 International Crisis Group report, *Afghanistan — Women and Reconstruction*, describes how the Government has developed an internal structure of policy coordination bodies, called "consultative groups", as well as a Gender Advisory Group that includes donor participation. Twelve budgetary programme areas have been developed, headed by a lead ministry. To date, these have failed to incorporate gender effectively into the national budget or the budgets of line ministries.

30. As of November 2003, 29 of 32 provinces have established departments of women's affairs. Initiatives are under way to build the capacity of these departments and to strengthen communication between the Ministry and these provincial structures. Additionally at the provincial level, 23 Women's Development Centres, supported by UNIFEM and the United States Agency for International Development (USAID), are being established and will link resources with women's views and priorities at the community level. The centres are expected to play an important role in mainstreaming women's needs into services provided by Government and NGOs, particularly in the fields of literacy, health, vocational training, income generation, peace-building, conflict resolution and legal and psycho-social support.

V. Reconstruction and peace challenges

A. Security

31. The lack of security remains the most serious challenge facing Afghanistan. In addition to increased terrorist activity and fighting among various factions, there has been increased targeting of United Nations agency and NGO staff, both international and national. The hazardous security environment severely hampers the establishment of peace and reconstruction. While welcoming the expansion of ISAF

outside Kabul as a positive sign for enhanced security, national institutions must be strengthened to make Afghanistan safe for its people and for the staff of the United Nations and others working diligently to support reconstruction and peace-building.

32. In the meantime the Afghan Transitional Administration has created Provincial Reconstruction Teams (PRTs). These are military-led teams composed of international and national civil affairs, special forces and regular army units. The original goal of the teams was to secure safe areas for reconstruction activities, conducting village assessments and bridging communication between national and provincial authorities. There appears to be confusion among local populations and humanitarian actors as to the role of PRTs and distinction between their military nature and that of the humanitarian operations. There is token representation of women in PRTs, namely one woman in Bamiyan, for example. As ISAF is expanded, a gender assessment of the provincial-based security mechanisms and the role and participation of women in them is needed and should be fully supported.

33. The national police service has also received much attention. On 6 April 2003, President Karzai issued a presidential decree mandating a new structure for the Ministry of the Interior and the establishment of a national police service consisting of 50,000 police officers and 12,000 border guards. The Ministry has devised an ambitious five-year framework for creating such a service and training is under way for police officers. On 30 April 2003, the autonomous Human Rights Department of the Ministry of the Interior was inaugurated to follow up reports of abuse by police. The structure of the Department is to be replicated within every provincial police department and is expected to serve a watchdog function within the national police structure. The Afghan Independent Human Rights Commission is supporting the new Department by temporarily lending staff and organizing human rights workshops for police.

34. The Government has also instituted reform of the National Army. Eleven Afghan National Army battalions have been established, totalling 6,500 personnel out of a projected strength of 70,000. Training has been the main priority for the army in 2003. Little information is available on the extent to which gender issues are incorporated into the training of the armed forces and national police.

B. Women's human rights and violence against women

35. The insecurity and increasing incidence of sexual violence threaten to reverse the gains made especially for girls and women, as many are afraid to venture out of their homes to attend school or go to work for fear of abduction or rape by armed groups. In her aforementioned report on violence against women (A/58/421) the Special Rapporteur cites a wide range of violations against women and girls in the name of social norms, traditions and protection. Specific reference is made to domestic violence and early and forced marriages, which remain common, at times with the concerned woman or girl threatening or actually committing suicide. During the Security Council mission, Council members were shocked to learn of the frequent death threats against women activists and that the rate of suicide among women was very high often resulting from desperation against forced marriages. UNAMA reports that

> "women in Afghanistan continue to face significant obstacles. Intimidation, restrictions on movement, forced marriage, honour killings and 'protective'

incarceration are realities, particularly in rural areas, where conservative social attitudes prevail. Women are also threatened in these areas by local commanders who violate women's rights and commit sexual abuse with impunity. Refugee women and widows also face specific risks associated with lack of security, as well as physical and psychological hardship" (A/58/616, para. 45).

Trafficking of women, through and from Afghanistan, and among Afghans in neighbouring countries has been reported by the International Organization for Migration as being cause for concern.

36. In ratifying the Convention on the Elimination of All Forms of Discrimination against Women, the Afghan Transitional Administration/State took a very positive step in turning the tide on violations of women's human rights. It is obliged to take all appropriate measures to bring about the advancement of women, to eliminate discrimination against women on the basis of sex and ensure their equality with men in the enjoyment and exercise of all civil, political, economic, social, and cultural rights. The United Nations Division for the Advancement of Women of the Department of Economic and Social Affairs is undertaking to provide technical assistance to the Government, through the Ministry of Women's Affairs, to enhance its capacity for the full implementation and compliance with all the provisions of the Convention. This proposed support includes an initial high-level consultation with government officials in 2004 to assess ways and means for enhanced implementation, with follow-up visits to undertake training programmes for various target audiences.

37. The Convention will be implemented in close coordination with the overall reform of the justice sector, which is crucial to the peace process and to the full attainment of women's human rights. The reformed 12-member Judicial Reform Commission was inaugurated on 28 November 2002 and includes two women. It has a key role in the development of gender-sensitive judicial mechanisms. UNAMA reports that the justice sector has suffered more damage than any other State structure and sees a need for the responsibilities of the Commission to be refined and for the Commission to have greater decision-making powers.

38. In addition to the Judicial Reform Commission, the Bonn Agreement mandated the establishment of the 11-member Afghan Independent Human Rights Commission (AIHRC), which continues to be chaired by the former Minister of Women's Affairs and includes five women. The Commission, supported by UNAMA, the Office of the United Nations High Commissioner for Human Rights and UNDP, has established seven satellite offices in the regions with some 300 staff implementing programmes in the five mandated areas of work, namely, monitoring and investigations, human rights education, women's rights, children's rights and transitional justice. The Women's Rights Unit of AIHRC continues to ensure that women's rights are fully mainstreamed and works closely with other commissions and ministries to ensure the integration of human rights concerns and programmes throughout these bodies. Additionally, an Advisory Group on Human Rights has been established and serves as a forum for assessing the human rights situation, in particular the rights of women and girls, and establishing benchmarks for the Government's implementation of basic human rights concepts and international human rights instruments.

C. Disarmament, demobilization and reintegration

39. Disarmament, demobilization and reintegration of ex-combatants is a precursor to building a durable peace in Afghanistan and is contingent upon an effective national army and police force. The programme, known as the Afghan New Beginnings Programme, requires that combatants from different political factions give up their weapons to the central Government under the administration of the Ministry of Defence.

40. During the first phase of the disarmament, demobilization and reintegration programme, beginning in October 2003, a pilot project was launched to disarm 1,000 ex-combatants in each of six designated locations: Bamiyan, Gardez, Kabul, Kandahar, Kunduz and Mazar-i-Sharif. Lessons learned from the pilot phase will be incorporated into the main phase of the Afghan New Beginnings Programme that will disarm, demobilize and reintegrate the remaining 94,000 ex-combatants.

41. While women were not counted among the ex-combatants in Afghanistan as they are in recent conflicts in other parts of the world, the disarmament, demobilization and reintegration programme will have an impact on them. The extent to which the programme incorporates gender perspectives is as yet unknown. A child-specific reintegration programme has been developed for demobilized child soldiers by the United Nations Children's Fund (UNICEF), which will provide education and skills training for their reintegration into their communities.

D. Return of refugees and internally displaced persons

42. In 2003 the Office of the United Nations High Commissioner for Refugees facilitated the return of 470,000 Afghans from Pakistan and the Islamic Republic of Iran, bringing the total of assisted returns to over 2.5 million since March 2002, of which 47 per cent were female. Many others have returned using their own resources. At the same time, around 60,000 internally displaced persons returned with assistance from the Office and its partners in 2003; others went home on their own. Some 190,000 persons are expected to remain displaced by the beginning of 2004, most of them in the south of the country.

43. The Office supports capacity-building of line ministries, including the Ministry of Women's Affairs. It has provided the neediest returnee families with shelter kits, which include beams, doors and window frames, so that they can build mud houses. The programme targets households headed by women, which are provided with the means to pay others to carry out the construction work. Specific measures are also taken to ensure that women's names appear on title deeds. So far in 2003, 34,000 families have constructed new homes. A further 16,000 should be completed by the end of 2003.

44. Owing to the general shortage of employment opportunities, many returnee men are forced to migrate to urban areas in search of work, leaving women without support to manage family affairs. Some women returnees are obliged to go out to work, which exposes them to risks of landmines, exploitation and other abuses. The Office of the United Nations High Commissioner for Refugees works to support community-based rehabilitation programmes, advocating for the inclusion of women in programmes from which they are often forgotten or marginalized.

45. In mid-November, the Office suspended repatriation from Pakistan and withdrew international personnel from southern and eastern regions after a woman staff member was killed in the city of Ghazni, south of Kabul. Road missions were also put on hold, thereby restricting returnee-monitoring activities. The Organization is currently reviewing the situation, with a view to resuming activities when security conditions permit.

E. Narcotics trade

46. The United Nations Office on Drugs and Crime reported recently that Afghanistan is the world's largest producer of illicit opiates, accounting for 77 per cent of the world's total cultivation in 2003. Ten million people around the world are addicted to Afghan opiates. Drug production and trafficking leads to insecurity and instability of the country. International donors and the United Nations are supporting the Afghan Transitional Administration's narcotic drug sector through law enforcement, demand reduction and comprehensive measures to promote alternative livelihoods.

47. A total of 1.7 million people (approximately 7 per cent of the population) in Afghanistan are dependent on opium poppy cultivation for their livelihoods. The recently formulated plan supported by the Food and Agriculture Organization of the United Nations for an alternative livelihood to opium poppy cultivation has particularly focused on women's involvement in poppy cultivation. The plan proposes alternative on and off-farm income-generating activities, which are particularly appropriate for women.

48. More attention is now being focused on women as users of illicit drugs. A 2003 study on drug use in Kabul carried out by the United Nations Office on Drugs and Crime showed that women constitute 4 per cent of heroin users, 9 per cent of hashish users and 29 per cent of opium users, and 56 per cent of the female users interviewed had taken pharmaceutical drugs. The study indicates an increase in intravenous drug use raising concern for transmission of HIV/AIDS. The Office plans to undertake drug demand reduction assistance, comprising preventive education, treatment and rehabilitation for Afghans, including those returning from refugee camps. Special attention will be given to assistance for the large number of women who have become drug users as a result of trauma suffered in recent years.

F. Mine action

49. Afghanistan is one of the countries of the world with the largest number of mines and unexploded ordnance. The resulting human suffering is substantial, with up to 150 casualties estimated to occur every month and limited medical and rehabilitation infrastructure to assist survivors. Mines and unexploded ordnance pose a particular threat to young children, including girls, who are often involved in farming, animal grazing and collecting water, areas where mines are often found.

50. While women make up only 5 per cent of survivors of mine injuries, with the improving situation in mobility of women and girls within Afghanistan there is a potential for increased risks to them. As a result, the Mine Action Programme for Afghanistan, implemented by the Department of Peacekeeping Operations Mine Action Service, undertakes mine-risk education services that have been specifically

tailored to meet the needs of women and girls through targeted awareness-raising activities. This includes a focus on girls newly returning to the education system and accessing women through training and deployment of mobile husband and wife teams to visit villages and towns. UNICEF assists this process through the integration of mine-risk education into ongoing teacher-training programmes, which reached over 25,000 educators in 2003. Mine-risk education has also been integrated into the newly developed school curriculums.

VI. Economic and social situation

A. Health

51. Despite positive developments since the instalment of the Afghan Transitional Administration, the health situation of women and girls in Afghanistan continues to reflect the consequences of the long-term conflict, displacement, shortage of female health personnel and difficult as well as limited access to health-care services in many communities in Afghanistan.

52. The recent studies carried out by the United States Centers for Disease Control and UNICEF confirmed that Afghanistan has the second highest maternal mortality rate in the world, with a maternal mortality ratio of 1,600 per 100,000 live births at the national level and 6,500 per 100,000 live births in certain deprived areas of the country. Maternal mortality would be alleviated with increased access to essential obstetric care and increased training of female health personnel. An increase in the population's awareness concerning the issues of women's health would also greatly facilitate improved maternal and infant health. Currently, across Afghanistan, only 15 per cent of deliveries are attended by trained health personnel.

53. Utilization of health services in facilities where only male health personnel are available is very low; the few female health personnel need retraining in basic health-care provision. Traditions in Afghanistan make treatment of women by male nurses or doctors difficult and serve as a constraint for women seeking health care. Increasing female representation in the health-care sector is a priority in order to address this constraint.

54. The World Health Organization (WHO) provides technical and material support to the Ministry of Public Health and makes substantial efforts to train female health-care providers in schools of nursing and midwifery and to provide refresher training for those already working in the health sector. UNFPA provided support to maternal health hospitals in Kabul and basic and emergency reproductive health services to women in remote areas. UNFPA has channelled its assistance through large numbers of NGOs with their networks of maternal and child health clinics.

55. UNICEF has successfully carried out immunization programmes in every province of the country that continue to save lives, even in the most remote areas. Over 10 million children were immunized against measles in 2003, while during the same period 6 million children were given polio vaccines and vitamin A supplements. No other country facing a complex emergency has recorded such high levels of coverage for measles vaccination. Over the last two years, some 750,000

women aged 15 to 45 have been vaccinated against tetanus during the Maternal and Neonatal Tetanus campaigns supported by UNICEF.

56. As dissemination of health information and education is a crucial element in health promotion programmes, WHO, together with UNICEF, the United Nations Human Settlements Programme, the Afghan Ministry of Public Health, the Ministry of Women's Affairs, the BBC World Service and Radio Afghanistan, has embarked on a project designed to enhance the capacity of Radio Afghanistan staff to develop, produce and broadcast women's health programmes to the Afghan population in the Dari and Pashtun languages.

B. Education

57. Girls' education is a priority in Afghanistan. Supporting education and establishing schools as centres for social change in communities remain a priority for United Nations entities, including the United Nations Educational, Scientific and Cultural Organization (UNESCO), UNICEF and UNFPA.

58. The recently concluded UNICEF Multiple Indicator Cluster Survey shows a net increase of 37 per cent in girls' enrolment from 2002 to 2003. Even southern provinces show an average net increase of about 30 per cent in spite of higher levels of insecurity and conflict. The ratio of boys to girls in school has reached the same levels as in pre-Taliban days. However, there are still many girls out of school. Safety and security, distance from home and inadequate school facilities are the main reasons cited by families for not sending children, both girls and boys, to school. In the case of girls, a shortage of female teachers continues to be a main obstacle to girls going to school.

59. The Back-to-School campaign launched by the Ministry of Education and UNICEF has been a major success and 4.2 million children are now enrolled in school. The World Food Programme (WFP) provides school feeding to over 1 million children and includes an additional take-home ration of 4 litres of oil to girl students as an incentive to encourage girls' enrolment. They also support non-formal education training targeted to 75,000 trainees, reaching more than 38,000 women and adolescent girls participating in skills training, adult literacy and life skills. The Ministry of Women's Affairs plans to replicate such training and WFP will provide food rations for the participants of this forward-looking initiative.

60. In 2003 UNESCO estimated that 51.9 per cent of men and only 21.9 per cent of women over the age of 15 know how to read and write. This is why in January 2003 UNESCO and the Government launched the Literacy and Non-formal Education Development in Afghanistan project (LAND AFGHAN) to boost literacy. While efforts are under way to support the return of children to school, the adult population, which is responsible for the immediate reconstruction and the revival of the economy, also needs to have its skills and knowledge upgraded. In this regard, UNFPA is supporting a programme to assist the Ministry of Education and the Ministry of Women's Affairs in strengthening the formal and informal adult educational system that integrates population, gender and reproductive health education, including literacy and skills training.

C. Employment

61. One of the major priorities for many Afghan women, including an estimated 1 million destitute widows country-wide, is to earn an income to support their families and raise their standard of living. Many women have returned to their former jobs in the civil service, health and education sectors in 2003. International agencies have given priority to hiring women. UNICEF, for example, hires women for immunization campaigns. The Joint Electoral Monitoring Board and the United Nations Mine Action Service have employed women to undertake field-based work. Training and employment of female teachers and employment of women as health workers are seen as important opportunities to bring more women into the workforce. Precise data on the numbers of women entering the formal workforce are not known, but greater attention will be paid to this area in future reports as more data become available.

VII. Coordination of the United Nations assistance to Afghan women and girls

A. Coordination mechanisms

62. The United Nations in Afghanistan, as mentioned in paragraph 9, is fully committed to incorporating gender perspectives throughout all reconstruction and peace-building activities. UNAMA has developed a 2004 mission implementation plan which aims to integrate gender perspectives throughout all aspects of its work in support of the Afghan Government's policies and strategies for development, especially with regard to coordination and capacity-building.

63. The Gender Advisory Group was established in December 2002 as a support structure to the Ministry of Women's Affairs following the Government's decision to establish advisory groups for cross-cutting issue areas. It aims to promote the integration of gender equality and advancement of women into each national priority programme area through provision of high quality policy, strategy and programme advice to consultative groups and monitoring for its reflection in the budget, policy, strategy and programmes of the National Development Plan.

64. The membership of the Gender Advisory Group consists of representatives of the donor community, international and national NGOs, United Nations entities and professional women's associations and networks. It has been playing a policy advisory role to the Afghan Transitional Administration and provides technical assistance to the Ministry of Women's Affairs in the preparation of the National Development Budget for public investment programmes. In November 2003 the Gender Advisory Group established two working groups to assist in coordinating women's participation in the ongoing constitutional reform process and in ensuring that gender perspectives are integrated into the 2004 National Development Budget public investment programmes. It is envisaged to establish a policy unit in the Ministry of Women's Affairs, with both international and national experts. The unit will work closely with the gender focal point of the policy management unit in the Office of the President.

65. The UNAMA Gender Inter-Agency Network has also been operational during 2003. It includes gender focal points from United Nations organizations. The

Network meets on an ad hoc basis to ensure a coherent and coordinated approach to gender mainstreaming.

B. UNAMA Gender Unit

66. The General Assembly, in its resolution 58/27 A and B, recognized the importance of a UNAMA gender adviser, as did some Security Council members in their statements to the Council during the open debate of 29 October 2003 on women, peace and security. The Minister of Women's Affairs has also referenced the importance of having technical support and guidance from the United Nations system in gender equality issues. A UNAMA gender adviser at the senior level would play an important role in guiding the Unit to enhance inter-agency coordination and technical support to the Government in ensuring that gender perspectives are incorporated throughout all reconstruction and peace-building activities and in UNAMA itself. While the D-1 post of Senior Gender Adviser remains unfilled, UNAMA filled the P-4 Gender Adviser position in November 2003 and plans to strengthen further its Gender Unit by recruiting one new officer whose primary function will be to build the capacity of gender focal points at the eight UNAMA provincial offices in developing the capacity of Departments of Women's Affairs and in ensuring the effective coordination of assistance at the provincial level.

VIII. Recommendations

67. In order to strengthen further the status of women and girls in Afghanistan and their full participation in the reconstruction and development of their country, the Commission on the Status of Women may wish to consider the following recommendations.

(a) To the Afghan Transitional Administration and future Government

(i) Fully implement the Convention on the Elimination of All Forms of Discrimination against Women and in so doing enact new non-discriminatory laws and repeal all legislation, edicts and other measures that discriminate against women and girls, as well as those that impede the full enjoyment of their human rights and fundamental freedoms, and prepare the initial report due in March 2004;

(ii) Ensure that the constitution explicitly enshrines the principle of equality of women and men and prohibits all forms of discrimination against women;

(iii) Ensure that the electoral processes are carried out and monitored closely to make certain that women are able to register, participate fully and support special measures that would guarantee that they are represented in local, provincial and national government positions;

(iv) Implement gender budgeting in the national budget and in all budgets of the line ministries;

(v) Ensure that the national security structures (police and army) are trained in gender issues and systems are put in place that respect and uphold human

rights and fundamental freedoms and meet the needs of women, especially in response to human rights abuses, including domestic and sexual violence;

(vi) Ensure that the Ministry of Women's Affairs, the Judicial Reform Commission and the Afghan Independent Human Rights Commission have adequate human and financial resources to fulfil their mandates and address gender perspectives in line with international standards;

(vii) Undertake a gender analysis of the demobilization, disarmament and reintegration programme to ensure that all those who have participated in or have otherwise been affected by war receive equal support for reintegration into society and training to become more economically stable;

(viii) Ensure the effective and equal access of women and girls to health care;

(ix) Ensure the equal right of women and girls to education without discrimination, the effective functioning of schools throughout the country and the admission of women and girls to all levels of education and support the education needs of those women and girls who were excluded from education in the past;

(x) Respect the equal right of women to work and promote their reintegration in employment in all sectors and at all levels of Afghan society;

(xi) Protect the right to freedom of movement, expression and association for women and girls.

(b) To Governments, including donors, the United Nations system and civil society:

(i) Ensure that the necessary resources are allocated through the Ministry of Finance and other sources to mainstream gender perspectives into all policies and programmes;

(ii) Support all line ministries to integrate gender perspectives into their programmes and budgets and enhance the technical expertise and capacity of the Ministry of Women's Affairs to provide technical support and guidance to line ministries in achieving this goal;

(iii) Support capacity-building for Afghan women to enable them to participate fully in all sectors, with special emphasis on ensuring women's participation and representation in all aspects of the electoral process leading to the June 2004 elections;

(iv) Enhance the provision of technical and other relevant assistance so that the judicial system adheres to international standards of human rights;

(v) Support measures to hold accountable those responsible for gross violations of women's human rights in the past and to ensure that full investigations are conducted and perpetrators brought to justice;

(vi) Ensure training of international actors in gender issues, including proper codes of conduct to prevent sexual exploitation and abuse of the population, especially women and girls, and fully implement, where appropriate, the Secretary-General's Bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13);

(vii) Encourage and support increased cooperation and coordination among United Nations entities, donors, civil society and Governments so as to maximize benefits and support for gender mainstreaming and the advancement of women.

Notes

[1] Information was received from the United Nations Assistance Mission in Afghanistan, the Department of Political Affairs, the Department of Peacekeeping Operations Mine Action Service, the Office for the Coordination of Humanitarian Affairs, the Division for the Advancement of Women of the Department of Economic and Social Affairs, the United Nations Office on Drugs and Crime, the United Nations Development Programme, the United Nations Development Fund for Women, the United Nations Population Fund, the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund, the World Food Programme, the Office of the United Nations High Commissioner for Human Rights, the Food and Agriculture Organization of the United Nations, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization, the Office of the Special Representative to the Secretary-General on the Situation of Children in Armed Conflict and the International Organization for Migration.

[2] See *Report of the Joint United Nations Inter-Agency Network of Women and Gender Equality and the OECD/DAC Workshop on Gender and Post-conflict Reconstruction: Lessons Learned from Afghanistan and Elsewhere*, Paris, 10-11 July 2003 (www.un.org/womenwatch/ianwge).

[3] See www.womenforafghanwomen.org.

United Nations E/CN.6/2004/6

Economic and Social Council

Distr.: General
22 December 2003

Original: English

Commission on the Status of Women
Forty-eighth session
1-12 March 2004
Item 3 of the provisional agenda*
Follow-up to the Fourth World Conference on Women and to the special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century"

Release of women and children taken hostage, including those subsequently imprisoned, in armed conflicts

Report of the Secretary-General

Summary

The present report is prepared in compliance with resolution 46/1, adopted by the Commission on the Status of Women at its forty-sixth session in 2002. The report contains information provided by Member States and relevant entities of the United Nations system. It concludes with recommendations for consideration by the Commission on the Status of Women.

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* E/CN.6/2004/1.

03-67493 (E) 210104

I. Introduction

1. At its forty-sixth session, the Commission on the Status of Women adopted its resolution 46/1 on the release of women and children taken hostage, including those subsequently imprisoned, in armed conflicts. In that resolution, the Commission recalled all its previous resolutions on the subject, as well as the relevant provisions contained in the instruments of international humanitarian law relative to the protection of the civilian population, including women and children.[1]

2. The Commission expressed its strong belief that the rapid and unconditional release of women and children taken hostage in areas of armed conflict would promote the implementation of the goals enshrined in the Beijing Declaration and Platform for Action and the outcome documents of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century".

3. Moreover, the Commission strongly urged all parties to armed conflicts to respect fully the norms of international humanitarian law in armed conflict and to provide safe and unimpeded access to humanitarian assistance for women and children taken hostage. It also urged all parties to armed conflict to release immediately all women and children taken hostage and requested the Secretary-General and all relevant international organizations to use their capabilities and efforts to facilitate their immediate release.

4. In addition, the Commission requested the Secretary-General to prepare, taking into account the information provided by States and relevant international organizations, a report on the implementation of the resolution for submission to the Commission at its forty-eighth session in 2004.

5. The present report is prepared in compliance with that request on the basis of information received from 11 Member States as well as entities of the United Nations system.

II. Information from Member States

6. The Governments of Azerbaijan, Belarus, Colombia, Lebanon, Malaysia, Mexico, Peru, Saudi Arabia, Sierra Leone, the Syrian Arab Republic and Thailand responded to a request to provide information regarding the status of implementation of resolution 46/1.

7. The Government of Malaysia stated that the resolution was not relevant to Malaysia, as there was no situation of armed conflict, or of women and children taken hostage in that country.

8. The Government of Saudi Arabia responded that there were no women or children in detention as a result of armed conflicts and that Saudi Arabia was in compliance with the 1979 International Convention Against the Taking of Hostages.

9. The Government of Belarus stated that it had ratified or acceded to international treaties on combating hostage-taking, trafficking in persons and on violations of norms of international humanitarian law. It had also adhered to an international agreement on immediate measures for the protection of victims of armed conflicts. At the national level, a new Criminal Code for the Republic of

Belarus, which had entered into force on 1 January 2001, regulated responsibilities for those seizing or holding persons as hostages. The Government noted that the question of combating hostage-taking was closely linked with issues relating to combating terrorism.

10. The Government of Lebanon submitted a reply from the General Directorate of Internal Security Forces and the General Directorate of General Security of the Republic of Lebanon, reporting on amendments made to articles 569 and 570 related to crimes against freedom and honour.

11. The Syrian Arab Republic reported that two Syrian women remained imprisoned by Israeli occupation authorities.

12. The Republic of Sierra Leone stated that all abductees from the 10-year war in Sierra Leone had been released by all factions that had been involved in the fighting. It noted that the disarmament had been successfully completed and that no women or children remained in captivity.

13. According to the information provided by the Government of Azerbaijan, its State Commission for Prisoners of War, Hostages and Missing Persons reported that there were no women or children imprisoned or taken hostage by Azerbaijan. As of 1 September 2003, 4,890 citizens of Azerbaijan had been declared missing since the beginning of the armed aggression by the Republic of Armenia. To date, 1,333 people had been released from Armenian captivity, 129 of whom were children and 312 were women. However, 783 persons remained imprisoned or had been taken hostage by Armenia. The list of those persons was compiled on the basis of testimonials from individuals who had returned from captivity. According to the Government of Azerbaijan, that information was being hidden from international organizations. The State Commission would continue to undertake measures regarding the search for missing persons, with the participation of international organizations.

14. The Government of Mexico reported that resolution 46/1 did not apply to its situation, since no women or children had been taken hostage as a result of armed conflict. However, it reaffirmed the comments it had made on that subject during the Security Council debate of October 2002. As requested by Mexico, those comments are incorporated below.

15. The Government of Mexico noted that international conflicts increasingly affected civilian populations, especially women and children, with women frequently being victims of grave violations of their human rights and international humanitarian law. For that reason, their involvement in peacemaking processes was becoming necessary in order to achieve just and lasting solutions to armed conflicts. Mexico further underscored the importance of systematically incorporating a gender perspective into peacekeeping operations in accordance with Security Council resolution 1325 (2000). It emphasized the importance of the recommendations made by the Secretary-General in his report to the Security Council on women, peace and security (S/2002/1154). Those recommendations should be taken into account with a view to their implementation in the short term so that the efforts which the international community had made in that area could continue. Increased recognition should be given to the role of women in rebuilding peace.

16. The Government of Mexico noted the important information provided by the Secretary-General in his report on the improvement of the status of women in the

United Nations system (A/57/447) regarding the low participation of female professional staff in peace operations. It took positive note of the fact that, according to the report of the Secretary-General on the composition of the Secretariat (A/57/414), the largest increase in the number of women working at the United Nations since July 2001 had been in the Department of Peacekeeping Operations (25 per cent). Mexico also referred to the importance of the conduct to be adhered to by United Nations peacekeeping personnel in order to prevent instances of abuse of women and girls, promote respect for international law and ensure that those who committed such deplorable acts were judged by the relevant bodies. Moreover, it stressed the need for States to consider sponsoring women candidates for judgeships on international criminal tribunals.

17. The Government of Peru provided a report on the implementation of resolution 46/1 prepared by its Ministry of Women's Affairs and Social Development. The report stated that the country had suffered the scourge and barbarity of terrorism, which had claimed the lives of more than 25,000 people and had caused incalculable material damage. It noted that public policies had been focused on attending to the needs of women and children who were held or forcibly recruited by terrorist groups. A National Plan, with a gender equality approach, was in place for caring for people affected by terrorist violence. The activities under the Plan were designed to provide mechanisms and instruments to enable both men and women affected in some way by the violence to improve their circumstances by developing their own capacities. The Plan guaranteed equality of opportunities in access to project activities, applied a minimum quota of 50 per cent for the participation of women and gave priority attention to widows with children. The Plan also included intercultural and human rights components.

18. The Government of Peru noted that under the programme of Support for the Repopulation and Development of Emergency Zones (PAR), the Ministry of Women's Affairs and Social Development had been carrying out measures for the organized return of displaced persons, including women and girls, to their places of origin. PAR used incentives to accomplish that goal, such as packages of social and production measures, designed to promote development of those places of origin. PAR had secured the return of 19,570 persons to the departments of Ayacucho, Huancavelica, Junin and Pasco. A pilot project for dealing with the aftermath of terrorist violence had been implemented with the aim of providing social, cultural and economic repatriation for displaced and reintegrated persons and returnees by means, inter alia, of production activities. Although the target population of PAR included all persons affected by terrorist violence, a project had been established to address the particular needs of women in that regard. A total of 8,725 women and 8,389 men had been helped under the projects. To help displaced women, PAR had focused, during the first three months of 2003, on the strategic development of activities under the National Plan for dealing with the aftermath of the terrorist violence, including work with girls, adolescent and young women and adult women in general. The project for dealing with the effects of terrorist violence on women included: support for mutual assistance groups; training in the human rights of women, self-esteem and empowerment; awareness and publicity campaigns on gender equality and equal opportunities and multisectoral workshops on the prevention and redress of the consequences of displacement on the grounds of gender. Topics planned for the rest of 2003 included: family violence as a consequence of war; political participation of women and their organizations, as

well as topics included in the projects on reconstruction of local institutions and the restoration of mental, family and community health.

19. In its response, the Government of Thailand informed the Commission that during the past decade, the absence of armed conflicts within Thailand or involving Thailand meant that no women or children had been taken hostage or imprisoned on Thai soil. Nonetheless, displaced persons, especially women and children fleeing armed conflicts in neighbouring countries, continued to cross the Thai borders and those vulnerable people could fall prey to human traffickers. In view of that fact, the Government informed the Commission that civil servants in all agencies had been trained to be more receptive and responsive in their treatment of women and children in need of humanitarian assistance. It called attention to the special efforts undertaken in addressing human trafficking and protecting and promoting the rights of women and children, including measures at the national, regional and international levels to safeguard and assist victims of trafficking in human beings.

20. According to information provided by the Government of Colombia, the Colombian Family Welfare Institute (ICBF) was implementing resolution 46/1 through different programmes carried out once persons covered by the resolution had left the area of conflict or had severed ties with the illegal armed group. Victims of violence who had been displaced from their place of origin were cared for through the displaced persons' programme, in coordination with the Social Solidarity Network and the World Food Programme. The displaced persons' programme covered pregnant women, nursing mothers and children who were served by the regular programmes of ICBF. Minors at risk who lived with their families were reported to have been placed in protection programmes carried out by the Institute. Those who broke away from illegal armed groups were placed in a specialized care programme, which worked to ensure that their rights would be restored and that they would be integrated into society.

III. Information from the United Nations system

21. The Economic Commission for Africa (ECA) noted that hostage-taking and abduction of women and children was particularly rampant in countries involved in armed conflicts and had been exacerbated by the HIV/AIDS pandemic, with young girls being taken hostage and abducted for marriage to military commanders and long-haul truck drivers. Special mention was made by ECA of the situation in Sierra Leone as well as Uganda, where the incidence of hostage-taking by the Lord's Resistance Army was reported to be among the highest in Africa. Women and children were reported to have been held hostage for years, forced into slavery and trained to fight at a very young age. Young children were reported to have been forced to flee their homes at night to avoid being abducted; they often witnessed atrocious crimes. ECA noted that Governments had yet to be vigorously involved in negotiations to free victims taken hostage during armed conflicts, resulting in many women and children being held hostage for as long as 10 to 15 years. There was an urgent need for information and for increased involvement of African Governments. Ministries concerned with gender equality, women and children should be involved, as that had proven to be effective in Rwanda and Timor-Leste.

22. The Office for the Coordination of Humanitarian Affairs stated that while the Office's activities did not directly address situations of hostage-taking and release, a

number of its activities indirectly supported the implementation of resolution 46/1 by ensuring a comprehensive and coordinated humanitarian response in areas affected by conflicts and incidents of kidnapping and hostage-taking. The Office's aim was to advocate for the full respect of human rights and international humanitarian law among all parties to a conflict; organize regional workshops on the protection of civilians; and develop a policy framework for a culture of protection in close collaboration with its humanitarian partner agencies and interested Member States.

23. The Department of Public Information reported that through its communication activities, it focused on conducting awareness-raising activities on issues regarding women and children in armed conflict. Those activities included a publicity campaign for the aforementioned report of the Secretary-General on women, peace and security issued in October 2002 (S/2002/1154), preparation of information kits, programmes for UN Radio, an online NewsCentre, publications in the *UN Chronicle* related to child soldiers and the organization of press conferences on related issues.

24. The Department for Peacekeeping Operations provided information from four of its entities: the United Nations Disengagement Observer Force (UNDOF); the United Nations Peacekeeping Force in Cyprus (UNFICYP); the United Nations Mission of Support in East Timor (UNMISET); and the United Nations Truce Supervision Organization (UNTSO).

25. UNDOF reaffirmed its full support for the implementation of the resolution, but informed that no situations had been encountered regarding women and children taken hostage within its area of responsibility.

26. UNTSO reported that facilitating the release of women and children taken hostage, as mandated by resolution 46/1, was not a specific part of its mandate.

27. UNFICYP reported that the last violent incidents between Greek Cypriots and Turkish Cypriots had occurred in 1996. It was noted that there were no current cases of women or children taken into captivity or held hostage and that UNFICYP had no recent records of women or children being taken or held as hostages in connection with the conflict. Women and minors known to UNFICYP to be held in detention in Cyprus were reported to have undergone criminal proceedings and to have access to legal representation and fair process. No cases had been recorded in recent years of women and children having been detained in conditions which were unlawful or unacceptable by humanitarian standards.

28. UNMISET reported that the situation of women and children held in hostage-like situations in West Timor remained difficult to assess since no official figures were available. The Office of the United Nations High Commissioner for Refugees reported that thousands of Timorese persons were forcibly deported during 1999, with an estimated 1,200 to 2,000 children being separated from their families and placed in orphanages or with Indonesian guardians. It was noted that, as of August 2003, 691 open cases existed of separated children, 277 of whom were in West Timor, 247 in other parts of Indonesia, 111 in Timor-Leste (with parents in West Timor) and 56 in unknown locations. In July 2003 two children were reported to have been reunited with their families following intervention by the Office. There had been isolated reports of armed groups operating against the civilian population since the armed conflict ceased in 1999. However, to the knowledge of UNMISET, there had been no reports of hostage-taking, rape, torture, enslavement or trafficking

in women and children by the armed groups. UNMISET noted that the post-conflict situation in Timor-Leste continued to present challenges which had a serious impact upon the rights of women and children, including their right to justice for past human rights violations, and their current access to protection under the law, including protection for victims of domestic violence.

29. The United Nations Children's Fund (UNICEF) reported on its assistance to a non-governmental organization which provided free legal aid and documented the condition of detainees, especially children, and on the enhancement of the follow-up mechanisms to monitor the situation on both the Israeli and Palestinian sides.

30. In Sri Lanka, UNICEF reported on support provided to post-conflict peace-building and reconstruction, which included issues of under-age recruitment by all parties to the conflict. It was stated that 140 children had been released by the Liberation Tigers of Tamil Eealam in 2002 and returned to their families. In collaboration with the Office of the United Nations High Commissioner for Refugees, the International Labour Organization, Save the Children as well as the Sri Lankan Human Rights Commission, UNICEF is developing a plan of action for reintegration of under-age recruits and addressing violations of children's and women's rights in conflict-affected areas.

31. In Colombia, Uganda and the Sudan, UNICEF reported on its support of actions aimed at preventing the recruitment of child and adolescent groups into armed groups and devising strategies for their demobilization, protection and social integration. In Colombia, the departments of Narino and Cauca in particular were stated to be areas where children and adolescents were pressured to join armed groups. In northern Uganda, 4,500 children were reported by UNICEF to have been abducted by the Lord's Resistance Army (LRA). Activities in Uganda focused on advocacy for the return of demobilized children and women who had been members of LRA. Those activities were reported to have resulted in 238 children and women being retrieved from their abductors and 200 reunified with their families. In the Sudan, UNICEF, in cooperation with the Office of the United Nations High Commissioner for Human Rights, addressed the issue of under-age recruitment through support for the development of a juvenile justice system, as well as through awareness-raising and training of soldiers of the Sudanese army. The Action Against Child Abduction project was reported as another key activity in the Sudan undertaken by UNICEF, together with the Committee for the Eradication of the Abduction of Women and Children, the Ministry of Justice and the Presidency.

32. In Sierra Leone, UNICEF observed an improvement in the security and political situation over 2002-2003, although the effects of the conflict could still be felt. Its activities included support for community-based reintegration programmes for formerly abducted children and ex-combatants.

33. The World Health Organization (WHO) reaffirmed its commitment to ensuring the survival and subsequent recovery of people, including women and children, who had fallen victim to armed conflict. WHO reported that it had undertaken specific activities in countries such as the Democratic Republic of the Congo, Uganda, Liberia, Guinea and Colombia. Assistance provided included participation in inter-agency assessment missions and design of strategies for prevention, preparedness and response where there had been reports of rape, kidnapping and violence against women and girls. In Uganda, WHO fielded a public health officer to address the health needs of internally displaced persons, including a large number of children

believed to have been kidnapped and forced to follow rebel groups. In Liberia, WHO had implemented special programmes for abandoned children, households headed by women and rehabilitation of child soldiers. In communities living in hostage-like situations, for instance in Colombia, WHO had devised decentralized programmes of assistance in order to strengthen local health systems, and had established a web site as a forum of information exchange.

34. The Economic Commission for Latin America and the Caribbean, the United Nations Development Fund for Women, the Economic and Social Commission for Asia and the Pacific, the Economic and Social Commission for Western Asia, the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the World Food Programme all reported that they had not been involved in any work on the implementation of the resolution.

IV. Recommendations

35. **In the light of current submissions received from Member States, the Commission on the Status of Women may wish to renew its commitment to resolution 46/1 and further encourage Governments to report on its implementation. The Commission may also wish to encourage Governments to report on the relevance of women and children taken hostage, including those subsequently imprisoned, in armed conflicts, in the context of the follow-up to Security Council resolution 1325 (2000).**

Notes

[1] General Assembly resolution 34/146 of 17 December 1979, Commission on Human Rights resolution 2001/38 of 23 April 2001, and the Geneva Conventions of 12 August 1949.